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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,442	01/23/2002	William M. Huntley JR.	30GF-9097	7941

7590

10/19/2005

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EXAMINER
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NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/055,442	HUNTLEY ET AL.	
	Examiner	Art Unit	
	Phuoc H. Nguyen	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This communication is responsive to Amendment filed July 21, 2005.
2. Claims 1-46 are pending in this application. Claims 1, 12, 23, and 32 are independent claims.

#### ***Response to Amendment***

3. This office action is in response to the amendment filed on July 21, 2005. Previous office action contained claims 1-46. Applicant amended claims 1, 12-16, 19, 20, 23-25, 28, 29, and 32. Amendment filed on July 21, 2005 have been entered and made of record. Therefore, pending claims 1-46 are presented for further consideration and examination.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-46 are rejected under 35 U.S.C. 103(a) as being obvious over Cravo de Almeida et al. (U.S. Pub. No. 2002/0169871) in view of Conway (U.S. 6,665,822).

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7. Regarding claims 1 and 12, Cravo discloses an e-mail-enabled automation control module (ACM) comprising (Figure 1): an ACM (e.g. Monitor Server 20; Figure 1); and an email system electrically connected to ACM (e.g. Mail Server 84 communicates with Monitor Server), e-mail system configured to perform at least one of sending e-mail messages from ACM through a network, and receiving e-mail messages from the network (Figure 1; and [0041]. Cravo does not disclose the ACM configured to automate control of at least one device. However, Conway discloses in Figures 1 and 3 the ACM capable of configured to automate control of at least one device (e.g. as backplane switch as seen in Figure 1). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention is made to add the ACM capable of configured to automate control of at least one device as seen in Conway's invention into Cravo's invention because it would enable to easily control all centralized components (e.g. col. 5 lines 7-21).
8. Regarding claims 2 and 14, Cravo further discloses the e-mail messages include ACM data [0027].
9. Regarding claim 3, Cravo further discloses the e-mail messages include ACM notifications [0043 - 0045].
10. Regarding claim 4, Cravo further discloses the e-mail messages include at least one of ACM data, and ACM notifications from at least one of another ACM and another device (Figure; and [0043 - 0045].
11. Regarding claim 5, Cravo further discloses e-mail system comprises a network interface configured for connection to the network (communication between the mail server 84 and internet 16).

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12. Regarding claims 6 and 13, Cravo further discloses e-mail system comprises an e-mail client configured to send the e-mail messages through network interface and the network [0042, 0044].
13. Regarding claims 7, 15, 16, and 18, Cravo further discloses e-mail system comprises an email server configured to perform at least one of receive the e-mail messages from the network, transfer ACM data to and from ACM, transfer ACM notifications to and from ACM, and receive and respond to e-mail transfer requests from the network (figure 1; and [0045 0046]).
14. Regarding claims 8 and 22, Cravo further discloses e-mail server comprises at least one mailbox configured to store at least one e-mail message, e-mail server further configured to allow a user that is connected to e-mail system through the network to perform at least one of read, modify, and delete the e-mail messages stored in at least one mailbox (e.g. administrator access to his/her email to retrieve an email message [0046]).
15. Regarding claim 9, Cravo further discloses ACM central processing unit (CPU) and a CPU system memory, CPU configured to execute ACM functions (inherently, Monitor Server comprise a CPU, RAM, and CPU is configured to perform execution instruction).
16. Regarding claims 10, 44, and 45, Cravo further discloses ACM comprises a backplane interface electrically connected to ACM and a backplane (e.g. motherboard) electrically connected to backplane interface, backplane configured for connection with at least one of an input/output (I/O) module and an input module (the Monitoring server 20 is inherently contain the backplane (motherboard) configure for connection with (I/O) module such as CPU).
17. Regarding claims 11, and 46, Cravo further discloses e-mail system electrically connected to backplane (figure 1).

18. Regarding claim 17, Cravo further discloses receiving e-mail messages from the network using the e-mail server comprising receiving ACM data from the network using the e-mail server (Figure 1).

19. Regarding claim 19, Cravo further discloses receiving e-mail messages from the network using the e-mail server comprising transferring ACM data to and from the ACM [0041].

20. Regarding claim 20, Cravo further discloses receiving e-mail messages from the network using the e-mail server comprising transferring ACM notifications to and from the ACM [0043 - 0045].

21. Regarding claims 21, and 38, Cravo further discloses receiving e-mail messages from the network using the e-mail server comprising receiving and responding to e-mail transfer requests from the network [0046].

22. Regarding claims 23 and 32, Cravo's figure 1 discloses a method for management and control of an automation control module (ACM) using an ACM system, the ACM system including an ACM, a network, a general purpose computer electrically connected to the network, and an e-mail subsystem electrically connected to the ACM and the network, method comprising: sending e-mail messages from the ACM through the network to the general purpose computer using the e-mail subsystem, and receiving e-mail messages from the general purpose computer through the network using the e-mail subsystem [0046]. Cravo does not disclose the requesting by the first ACM configured to automatically control at least one device information via the e-mail subsystem from a second ACM. However, Conway discloses in Figure 3 the requesting by the first ACM (e.g. 50) configured to automatically control at least one device information via the e-mail subsystem from a second ACM (e.g. 78). Therefore, it would have

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been obvious to a person having ordinary skill in the art at the time the invention is made to add the requesting by the first ACM configured to automatically control at least one device information via the e-mail subsystem from a second ACM as seen in Conway's invention into Cravo's invention because it would enable to easily monitor all the components within the network.

23. Regarding claims 24, 25, 33, 34, and 42, Cravo further discloses sending e-mail messages from the ACM through the network to the general purpose computer using the e-mail subsystem comprises sending ACM data (e.g. report) and notification (e.g. alert message) from the ACM through the network to the general purpose computer using the e-mail subsystem (e.g. Monitor server generate the report and send an email message contain the report to the administrator (figure 1; and [0045-0046])).

24. Regarding claims 26, 27, and 35, Cravo further discloses receiving ACM data and notifications and from the general purpose computer through the network using the e-mail subsystem (e.g. administrator receives an email message which contain the ACM data and the alert message) [0045-0046].

25. Regarding claims 28, 29, 36, and 37, Cravo further discloses transferring ACM data and notification to the ACM from the e-mail subsystem, and transferring ACM data to the e-mail subsystem from the ACM [0039, 0041, 0046].

26. Regarding claims 30, 31, 40, and 41, Cravo further discloses sending ACM data and on to the at least one other ACM through the network using the e-mail subsystem, and on receiving ACM data from the at least one other ACM through the network using the e-mail subsystem [0042].

27. Regarding claim 39, Cravo further discloses network is the Internet (Figure 1).
28. Regarding claim 43, Cravo further discloses e-mail subsystem embedded within ACM (Figure 1, Monitor Server 20 and Email Server 84).

### *Conclusion*

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Malizia, Jr. U.S. Patent No. 6,745,090

Park U.S. Patent Application Publication No. 2002/0123340

30. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919.

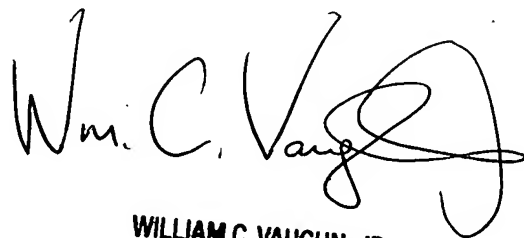
The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H Nguyen  
Examiner  
Art Unit 2143

October 12, 2005

A handwritten signature in black ink, appearing to read "Wm. C. Vaughn, Jr.", with a large, stylized flourish at the end.

**WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER**